## UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

IN RE LOWER MANHATTAN DISASTER SITE LITIGATION

THIS DOCUMENT APPLIES TO ALL LOWER MANHATTAN DISASTER SITE LITIGATION

21 MC 103 (AKH)

STIPULATION OF DISCONTINUANCE AND COURT ORDER

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, the attorneys of record for the parties to the actions listed in "Schedule A" attached hereto, that whereas no party hereto is an infant or incompetent person for whom a committee has been appointed and no person not a party has an interest in the subject matter of the action, the above-entitled actions be, and the same hereby are discontinued without prejudice as against THE BANK OF NEW YORK MELLON CORPORATION, As Successor To THE BANK OF NEW YORK COMPANY, INC., THE BANK OF NEW YORK, ONE WALL STREET HOLDINGS LLC, 4101 AUSTIN BLVD CORPORATION and THE BANK OF NEW YORK TRUST COMPANY, N.A., and as to the 130 Liberty Street locations only, without costs to either party as against the other.

IT IS FURTHER STIPULATED AND AGREED, that should evidence be discovered throughout the course of the litigation which determines that THE BANK OF NEW YORK MELLON CORPORATION, As Successor To THE BANK OF NEW YORK COMPANY, INC., THE BANK OF NEW YORK, ONE WALL STREET HOLDINGS LLC, 4101 AUSTIN BLVD CORPORATION and THE BANK OF NEW YORK TRUST COMPANY, N.A., is a proper party to these suits, plaintiff may reinstitute these actions without regards to the applicable statute of limitations as a defense.

This stipulation may be filed without further notice with the Clerk of the Court.

Dated: New York, New York May 13, 2008

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Attorneys for The Bank of New York Mellon Corporation, as Successor to The Bank of New York Company, Inc., The Bank of New York,
One Wall Street Holdings LLC
4101 Austin Blvd. Corporation,
The Bank of New York
Trust Company, N.A.

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By: Christopher R. Lopalo, Esq. (CL-6466) 115 Broadway, 12<sup>th</sup> Floor New York, New York 10006 (212) 267-3700

SO ORDERED: 6-30-6

HON. ALVIN K. HELLERSTEIN

## **SCHEDULE A**

## STIPULATION AND ORDER OF DISMISSAL RELATED TO 130 LIBERTY STREET COMPLAINTS FOR THE FOLLOWING PLAINTIFFS:

Index #		
	Plaintiff Name	All (AKH)
1	Stephen Addeo	06CV9963
2	Kleber Arteaga	08CV02253
3	Sixto Aviles	08CV02254
4	Rodrigo Barros	08CV02255
5	Maria Castro	08CV02257
6	Joel Chalco	08CV02257
7	Maria I. Chique	08CV02259
8	Sarbelia Coballes	08CV02261
9	Aracelly Cuervo	08CV02262
10	Belkis Delacruz	08CV02263
11		08CV02264
12	Margarita Dominguez	08CV02265
13	Tailor Dominguez	08CV02266
	Piotr Fiedziukiewicz	08CV02268
14	Lizeth Garcia	08CV02268
		06CV02270
16	Manuel C. Gomez	08CV02271
17	ivialidei C. Goinez	080 702271
18	David Guszick	07CV05411
19	Salma P. Guzman	08CV02273
20	Jaime Hernandez	08CV02274
21	Tercida Hernandez	08CV02275
22		08CV02276
23	Luis C. Jordan	08CV02277
24	Janusz Karpiuk	08CV02327
25	Labomir Kmec	08CV02278
26	Lubomir Kmec	08CV02279
27	Michael Labate	06CV8441
28	Maria Lluguay	08CV02280
29	Angel Lopez	08CV02281
30	Antonio Lopez	07CV05436
31	Jamie D. Lopez	08CV02282
32	Rolando Lopez	08CV02283
33	Henry Lozano	08CV02284
34	Ligia Luengas	08CV02285
35	Pedro Macias	08CV02286
36	Gloria Marrero	08CV02287
37	Joffre Martinez	08CV02288
38	Margarita Mattei	08CV02289

2291
2292
2294
275
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2310 2311 2312 2313 2314
2310 2311 2312 2313 2314 2315
2310 2311 2312 2313 2314 2315 2316